



proud past, promising future

CLARK COUNTY
WASHINGTON

PUBLIC WORKS

July 16, 2008

Greg Winters
Washington Department of Ecology
2108 Grand Boulevard
Vancouver, WA 98661-4622

Dear Mr. Winters:

RE: Clark County Phase I Municipal Stormwater Permit

Clark County respectfully submits the enclosed draft documents pursuant to the County's Phase I Municipal Stormwater permit issued by the Washington Department of Ecology February 16, 2007.

These documents were drafted to comply with condition S5.C of the permit and Appendix 1 Minimum Technical Requirements for New Development and Redevelopment. The documents include:

- Chapter 13.26A Water Quality
- Chapter 40.380 Stormwater and Erosion Control
- Clark County Stormwater Manual (CCSWM)
- Clark County Stormwater Pollution Control Manual – Best Management Practices for Businesses and Government Agencies
- Clark County Stormwater Facility Maintenance Manual
- Technical Memo #19 – Clark County's Historical Land Cover
- Technical Memo #20 - Large Waterbody Exemption: Vancouver Lake/Lake River
- SEPA Checklist
- Implementation Cost Analysis

The technical requirements and guidance contained within the permit and the 2005 Stormwater Management Manual for Western Washington are well developed. The County has incorporated those materials by reference with few exceptions. The following exceptions were developed because of concerns raised through public outreach and stakeholder committee review, and to reflect conditions specific to Clark County:

- Predevelopment land cover condition
- Infiltration testing requirements
- Agriculture
- Infill and redevelopment thresholds
- Large water bodies

Predevelopment land cover condition

Historical descriptions, maps, and census data suggest that early settlers removed the majority of Clark County's forest cover prior to 1900.

Table 1. Forest Cover in Clark County

Year	Total Farm Acreage ¹	Percentage of Entire Clark County	Percentage of Clark County without Tier 1 Forest Areas
1880	115,300	27%	44%
1890	138,600	33%	53%
1900	192,737	46%	74%
1910	186,926	44%	71%
1920	194,309	46%	74%

1. US Census Bureau data.

This trend continued through the first half of the 20th century as Clark County became a major fruit producer in the state and was once known as the "Prune Capitol of the World". The historical descriptions, maps, and census data suggest that most of the developable portions of Clark County were being farmed before 1900. Please see Technical Memo #19 for a more detailed discussion.

Additionally, although the permit requires that Clark County regulate only those discharges into the MS4, the proposed ordinance regulates all stormwater discharges, regardless of the discharge point.

Clark County's proposed flow control standard maintains a forested pre-development standard where forests still exists, and also in watersheds where more than 40% of the forest has been preserved, or where a downstream watershed has preserved more than 40% of the forested cover.

For those watersheds where more than 40% of the forest cover has been removed prior to 1955, the requirement shifts to the land cover since 1955 that generated the least runoff. Typically, this would be fields and pasture lands as existed since the late 1800s and early 1900s. The proposed standard applies to all new development and redevelopment that meets the project thresholds requiring flow control.

Infiltration testing requirements

The local chapter of the American Society of Civil Engineers produced a white paper in 2007 addressing the myriad of issues surrounding infiltration testing in Clark County. We have incorporated revisions to infiltration testing requirements based on their work in part along with input from the technical advisory committee in the draft CCSWM.

Dispersion

Clark County has long supported the right to farm and forest activities (Clark County Code 9.26). Applying these new regulations in the rural areas of Clark County where much of the runoff does not drain to an MS4 would be overly burdensome for the land owners, as well as the County which has to record, inspect, and potentially enforce maintenance for many more facilities.

As discussed previously, fields dominate the land cover on large parcels in Clark County. In seeing the need to manage stormwater while minimizing the number of constructed ponds, and keeping the cost minimal, the County proposes to modify the dispersion requirements. This approach provides stormwater management at a minimal cost to both land owners and Clark County.

To make dispersion a viable option, fields, pasture, timberland, and actively farmed land was added as an option to native vegetation, along with other modifications. Please see the draft CCSWM for more detailed information on this proposed change.

Infill and redevelopment thresholds

Throughout the public outreach process, one of the most prevalent comments from both the development and environmental representatives was the fear that the new regulations would stop redevelopment and infill projects. Developers point to added costs making projects infeasible. Environmental advocates want to ensure the redevelopment continues so that existing sites that have no stormwater management at all can be brought up to at least some level of management.

The County responded to these concerns by proposing to eliminate the 0.1 cfs threshold for infill and redevelopment projects. Similar to a stop loss criteria, removing this threshold will allow small projects (under 10,000 sf of impervious surface) to proceed with only onsite stormwater management (minimum requirements 1-5).

Large water bodies

The County proposes to add both Vancouver Lake and Lake River to the large water body exemptions. As discussed in Technical Memo 20, Vancouver Lake and Lake River are hydraulically controlled by the Columbia River's stage and tidal fluctuations. In addition, low flow velocities and limited area with potential for future development make flow control regulations for these water bodies of no value.

Closing

Clark County is committed to protecting our water resources. We will continue working to refine these draft codes and manuals and look forward to working with Ecology to address any concerns.

Thank you for your consideration in this important matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin J. Gray", is written over the printed name.

Kevin J. Gray
Deputy Public Works Director

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Attachments